



B 2826
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PATENT
Attorney Docket No. 046124-5064

I IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Hirofumi MIYAJIMA et al.) Confirmation No.: 3311
)
 Application No.: 09/773,510) Group Art Unit: 2826
)
 Filed: February 2, 2001) Examiner: J. Mondt
)
 Dated Allowed: January 16, 2004)
)
 For: HEAT SINK AND SEMICONDUCTOR)
 LASER APPARATUS AND)
 SEMICONDUCTOR LASER STACK)
 APPARATUS USING THE SAME)

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 222

Sir:

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(d)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(d), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement (IDS) is being filed after the events recited in § 1.97(c) but before the payment of the issue fee for the above-identified application. Under the provisions of 37 C.F.R. § 1.97(d), a fee of \$180.00, as specified by § 1.17(p) is due for filing this IDS. The Commissioner is hereby

authorized to charge this \$180.00 fee to Deposit Account No. 50-0310.

04/02/2004 EAREGAY1 00000164 500310 09773510

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1-WA/2156231.1

Each item of information contained in this IDS was first cited in an Office Action issued by the European Patent Office on January 14, 2004 in a counterpart foreign application. Hence, each item of information contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

A copy of the listed documents are attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed document is material or constitutes "Prior Art." If it should be determined that the listed documents does not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document, should the document be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

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Dated: March 31, 2004

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INFORMATION DISCLOSURE CITATION

(Use several sheets if necessary)

Attorney Docket No.
046124-5064Application No.:
09/773,510

Applicant(s): Hirofumi MIYAJIMA et al.

PAGE 1 of 1

PTO Form 1449

Filing Date: February 2, 2001

Group Art Unit: 2826

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U.S. PUBLICATION DOCUMENTS

*Examiner Initial	Publication Number	Publication Date	Name	Class	Sub Class	Filing Date
	5,105,430	Apr. 14, 1992	Mundinger et al.	372	35	Apr. 9, 1991
	5,105,429	Apr. 14, 1992	Mundinger et al.	372	34	Jul. 6, 1990
	5,079,619	Jan. 7, 1992	Davidson	357	81	Jul. 13, 1990

FOREIGN PATENT DOCUMENTS

	Document Number	Date	Country	Class	Sub Class	Translation YES NO
	DE 43 15 580 A1	Nov. 17, 1994	German			X
	DE 195 06 093 A1	Aug. 29, 1996	German			X
	09-102568	Apr. 15, 1997	Japan			w/Eng. Language Abstract only

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.